



October 4, 2013

The Honorable Representative Hugh D. Crawford
Chairman, Regulatory Reform
887 House Office Building
P.O. Box 30014
Lansing, MI 48909

RE: Support for HB 4405 – Related to indoor tanning restrictions for minors

Dear Chairman Crawford,

On behalf of the American Society for Dermatologic Surgery Association (ASDSA), a surgical specialty organization representing over 5,700 physician members, I am writing to urge the support of yourself and the members of the House Regulatory Reform Committee for HB 4405, an act to prohibit minors from indoor tanning under the age of 18.

Current statutes require that a parent or guardian must be physically present at a tanning facility if a minor wishes to use tanning equipment. Both the user and the parent must sign a warning statement that requires the use of eyewear. The legislation as proposed will build on the strength of the safety requirements by protecting persons under 18 from UV radiation exposure emitted by any tanning device in a commercial setting.

Reducing exposure to artificial sources of ultraviolet radiation will decrease a minor's risk of developing skin cancer later in life. Using a tanning device even once in a calendar year increases a user's risk of developing melanoma later in life by 20%.¹ Persons who use indoor tanning devices have a 74% higher risk of developing melanoma than a person not using such devices.²

Recent studies show a disturbing trend – there is a steady rise in the number of young women diagnosed with melanoma, and at more advanced stages. It is not coincidental that this demographic is also significantly more likely to use tanning beds than their male counterparts.

Indoor Tanning is ranked within the World Health Organization's highest cancer-risk category. In 2009, the International Agency for Research on Cancer, the cancer division of the World Health Organization, classified tanning beds as "carcinogenic to humans" — the agency's highest cancer-risk category, which also includes asbestos, plutonium, and tobacco smoking. Total doses of ultraviolet rays from a tanning bed may be as much as five times more than natural sunlight, meaning that just 20 minutes spent in a tanning salon may be equal to 2-3 hours in the noontime sun, according to a 2008 scientific article from *Dermatologic Surgery*.³

Acknowledging the popularity of indoor tanning amongst teens, the World Health Organization and the International Commission on Non-Ionizing Radiation Protection have recommended that indoor tanning be restricted to only those ages eighteen and older.

¹ Boniol M, Autier P, Boyle P, Gandini S. Cutaneous melanoma attributable to sunbed use: systematic review and meta-analysis. *BMJ* 2012; 345:e4757. doi: 10.1136/bmj.e4757

² Lazovich D, Vogel RI, Berwick M, Weinstock MA, Anderson KE, Warshaw EM. Indoor tanning and risk of melanoma: a case-control study in a highly-exposed population. *Cancer Epidemiol Biomarkers Prev* 2010 June; 19(6):1557-1568.

³ Ibrahim, S; Brown, M; Tanning and Cutaneous Malignancy. *Dermatol Surg*. 2008;34:460-474.

Indoor tanning is a threat to the health and safety of our youth with no signs of slowing down. A 2006 study of the 100 most populous cities in the United States found that there was an average of 42 tanning salons per city—exceeding the number of Starbucks or McDonald's. The same study demonstrated that 76% of teens lived within two miles of a tanning salon.⁴ Not only are minors more susceptible to misinformation about indoor tanning, minors are increasing their use of indoor tanning devices and consequently, increasing their incidence of melanoma.

Melanoma, the most deadly form of skin cancer, has been repeatedly linked to indoor tanning. As a common cause of melanoma, the deadliest form of skin cancer, consumers should be protected from the sea of misinformation about this dangerous activity. A scientific paper entitled *Recent Tanning Bed Use: A Risk Factor for Melanoma* stated that sun or UV radiation is one of the primary causal factors in the development of melanoma and that indoor tanning increases one's risk of melanoma.⁵

The Federal Trade Commission has ruled against claiming health benefits for indoor tanning. Members of the indoor tanning industry have tried repeatedly to discredit the medical research linking indoor tanning to cancer, instead advertising health benefits, including the prevention of lung, kidney, and liver cancers through use of UV devices. In a 2010 ruling, the Federal Trade Commission (FTC) found that such claims constitute unfair or deceptive acts or practices, and that the making of false advertisements, in or affecting commerce is in violation of the Federal Trade Commission Act.⁶

Model legislation has passed in California and Vermont. On October 9, 2011, California passed SB 746, becoming the first state to ban the use of indoor tanning beds for all minors under the age of 18. Vermont passed HB 157 on May 2, 2012, banning minors from tanning. Nationwide, 33 states have enacted some level of indoor tanning prohibitions for minors. Of the 17 states with no indoor tanning prohibitions for minors, 8 states considered an indoor tanning bill in the previous (2011-2012) legislative session, and fourteen introduced legislation in 2013.

The ASDSA urges you to support HB 4405. This is an issue focusing on public health and wellness, public education, and public safety. By passing this bill, the state is proactively committed to protecting its citizens from additional risk from skin cancer, and helping educate the public on the risks of any level of exposure to artificially-emitted ultraviolet radiation.

I urge you to support this act in committee, and to send this bill to the floor for a vote with favorable support. Should you have any questions please do not hesitate to contact John Geahan, Public Policy Specialist, at (847) 956-9121, or by email at jgeahan@asds.net.

Sincerely,



Timothy C. Flynn, MD
President, American Society for Dermatologic Surgery Association

⁴2006: Number of Tanning Salons. CITY 100: Controlling Indoor Tanning in Youth. Retrieved from: <http://indoortanningreportcard.com/numberofsalons.html>

⁵ Buckel, T; et al; Recent Tanning Bed Use: A Risk Factor for Melanoma. *Arch Dermatol.* 2006; 142: 485-488.

⁶ File No. 082-3159; United States of America Federal Trade Commission Complaint in the Matter of Indoor Tanning Association, a Corporation.